IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 274 OF 2006
IN
CONTEMPT PETITION NO. 123 OF 2003
IN
WRIT PETITION NO. 2482 OF 2002

JULIUS CRASTO ..PETITIONER
V/S
GERALD D'MELLO ..RESPONDENT

S.JAIN I/B MEGHRAJ & ASSOCIATES FOR PETITIONER.
NITA MANDHYAN I/B VASANT DHAWAN FOR RESP.NO.1.

CORAM : S.K. SHAH, J.
DATE : 10TH NOVEMBER,2006

P.C.

1. Heard learned counsel on both sides. There is dispute as to the structural stability of the building and therefore as mutually agreed by the counsel on both sides Mr. Roshan Nanavati is hereby appointed Architect to investigate the position of the concerned building so as to assess its structural stability and whether the building is sufficiently strong so that it can be repaired.

He shall submit the report within 4 weeks from today.

2. Learned counsel for the Respondent/Contemnor makes a statement that in case report of the Architect is that the building can be repaired they will repair it or if it is not capable of being repaired they will demolish and reconstruct it as per the report of the Architect.

3. By way of security the Respondent/Contemnor shall deposit in cash within 2 weeks from today Rs. 5,00,000/-.

4. The Respondent shall pay the fees of the Architect directly.

5. The matter to come up after 4 weeks.

(S.K. SHAH, J.)